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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,661	01/12/2007	Thomas Giering	GIER3005/JEK	9004
23364 7590 10/19/2007 BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			EXAMINER LABAZE, EDWYN	
			ART UNIT	PAPER NUMBER
			2876	
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			10/19/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/574,661

Applicant(s)

GIERING ET AL.

Examiner

EDWYN LABAZE

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☒ Claim(s) 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 4/4/2006, 1/12/2007.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. Receipt is acknowledged of IDS filed on 4/4/2006 & 1/12/2007.
2. Claims 1-19 are presented for examination.
3. This application is a 371 of PCT/EP04/11134 filed on 10/05/2004.

### ***Priority***

4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Specification***

5. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (d) BRIEF SUMMARY OF THE INVENTION.
- (e) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (f) DETAILED DESCRIPTION OF THE INVENTION.

### ***Claim Objections***

6. Claims 1-19 are objected to because of the following informalities:

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Re claim 1 (page 3, line 1): The applicant is respectfully requested to substitute “System for checking” with “A system for checking”.

Re claims 2-19: Substitute “System according to claim...” with “The System according to claim...”.

Re claim 2 (page 3, line 9): The term “is based” is improper and renders a limitation that is considered to be not a positive limitation only requires a function to so perform. The applicant is respectfully requested to amend the limitation “is based” and also other terms {such as “is carried in claim 9; “is checked” in claim 13 and so on} herein not mentioned.

Re claim 16: There is no antecedent basis for the limitations “the existence”, “the non-existence” and “the special king”.

Re claim 18 (page 6, line 2): There is no antecedent basis for the limitations “the acceptability” and “the basis”. The applicant is respectfully to amend “the acceptability” with “an acceptability” and “the basis” with “a basis” and/or to clarify such limitations.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Bratchley et al. (U.S. 6,155,605).

Re claim 1: Bratchley et al. discloses document value, which includes at least one sensor {herein detection system 3 with detectors/sensors 3A, 3B; as shown in fig. # 2}; in dependence on the security category, different sensor parameters are provided for the respective checking of the security feature, so as to enable checking of the same security feature in different ways (col.11, lines 55-67).

Re claims 2, 8-9: Bratchley et al. teaches system and method, wherein, that in areas of a lower security category, the checking is based on a check {herein banknote 20} of a property of the security feature and only in areas with a higher security category {herein high security entity/HSE} the same property of the security feature is checked with a higher accuracy and/or a different property is checked than in areas with a lower security category {herein low security entity/LSE} (col.3; lines 23-35, 58-67; col.5, lines 12-67).

Re claims 3-4: Bratchley et al. discloses system and method, wherein, for checking with different sensor parameters, the at least one sensor comprises differently designed sensors with different measuring parameters and/or the same design with same measuring parameters (col.6, lines 27-67; col.11, lines 55-67).

Re claims 5-6: Bratchley et al. teaches system and method, wherein the at least one sensor comprises a security device {herein control system 6, 7 as shown in fig. # 2} enabling of authorization {herein authentication of the banknote} to use, and an authorization by means of a solid-state storage means medium {herein not disclosed in the specifications of the claimed invention} (col.11, lines 1-25).

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Re claim 10: Bratchley et al. teaches system and method, wherein that measured data of not-accepted documents of value are either or both stored in a sensor of a higher security category and used for the forgery {herein authentication} adaptation (col.9, lines 38-62).

Re claim 11: Bratchley et al. discloses system and method, wherein a checking of luminescent substances as security feature (col.6, lines 1-24).

Re claim 12: Bratchley et al. teaches, wherein that in areas with a lower security category in comparison to areas with a higher security category, the luminescence radiation is checked in a different way (col.8, lines 24-67).

Re claim 13: Bratchley et al. teaches system and method, wherein in areas with a lower security category, an envelope {Bratchley et al. does not disclose an envelope, which is a graphical representation of the total spectrum with regards to the wavelength. But herein Bratchley et al. does disclose detectable characteristics of the two entities at different wavelengths of luminescence and a pair of thresholds one of the higher security and the lower security; see col.6, lines 1-6; col.8, lines 26-33; col.9, lines 55-57} of the spectral course {defined in the specs as a single maximum at a wavelength, and herein described by Bratchley et al. as a pair of thresholds within which the detected characteristics, e.g. intensity or wavelength value, see col.9, lines 55-57} of the security feature is checked and only in areas with a higher security category the spectral course is checked with a higher spectral resolution, so as to determine substructures of the envelope.

Re claim 14: Bratchley et al. discloses system and method, wherein only when checking in areas with a higher security category, a spectral separation is effected (col.6, lines 1-36; col.8, lines 26-33).

Re claim 15: Bratchley et al. teaches system and method, wherein, in areas with different security categories, the decay characteristic/behaviour of the luminescence radiation is determined in different ways (col.6, lines 30-44).

Re claim 16: Bratchley et al. discloses system and method, wherein the documents of value have the security feature in the form of a coding, so as to be able to differentiate between different documents of value, and the at least one sensor comprises sensors of a lower security category which are adapted to only check the existence or non-existence of a known coding, and sensors of a higher security category which alone are adapted to check the special kind of coding (col.11, lines 52-67).

Re claim 17: Bratchley et al. teaches system and method, wherein said at least one sensor comprises a single sensor for checking the document of value, said single sensor adapted to carry out both the checking of a higher and the checking of a lower security (col.12, lines 61-67).

Re claim 18: Bratchley et al. discloses system and method, wherein in a cash machine the acceptability of documents of value is enabled only on the basis of the checking of a lower security category (col.12, lines.1-12).

***Allowable Subject Matter***

11. Claim 19 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record, taken alone or in combination with any other record, fails to specifically teach

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that either or both at measured data of a sensor for checking security features of the document of value are used for forgery adaptation and measured data of the sensor are transmitted to an external facility.. These limitations in conjunction with other limitations in the claimed invention were not shown by the prior art of record.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Graves et al. (U.S. 5,790,693) discloses currency discriminator and authenticator.

Mazowiesky (U.S. 6,104,036) teaches apparatus and method for detecting a security feature in a currency note.

Wolpert et al. (U.S. 6,255,948) discloses security device having multiple security features and method of making same.

Bernadini et al. (U.S. 6,438,262) discloses security document validation.

Inaba et al. (U.S. 6,981,648) teaches information carrier medium and reader for reading the information carrier medium.

Csulitis et al. (US 2004/0145726) teaches multi-wavelength currency authentication system and method.

Schuett et al. (US 2005/0156116) discloses methods and devices for verifying the authentication of sheet-type products.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (571) 272-2395.

The examiner can normally be reached on 7:30 AM - 4:00 PM.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Edwyn Labaze  
Patent Examiner  
Art Unit 2876  
October 6, 2007